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Dated: December 23, 2008

Signed: Jennifer C. Black

PATENT
Attorney Docket No.: 067425-5001-US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Mark D. Bednarski, *et al.*

Application No.: 10/681,855

Filed: October 7, 2003

For: X-NITRO COMPOUNDS,
PHARMACEUTICAL COMPOSITIONS
THEREOF AND USES THEREOF

Customer No.: 67374

Confirmation Number: 7135

Examiner: Anderson, James D.

Technology Center/Art Unit: 1614

NOTICE OF APPEAL

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313

Sir:

Applicants hereby appeal to the Board of Appeals from the decision dated June 23, 2008 of the Primary Examiner finally rejecting claims 1,2,4-10,12-19,32 and 33. The Commissioner is authorized to charge the amount of \$270.00 to cover the Notice of Appeal fee, and any other fee, including extension fees, which may be required, or credit any overpayment to Deposit Account No. 50-0310 (Docket No.: 067425-5001-US).

Respectfully submitted,

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